

Assembly Bill No. 652

CHAPTER 369

An act to add Section 35400.7 to the Vehicle Code, relating to vehicles.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 652, Skinner. Vehicles: vehicle length limitation.

Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or trolley and a bus, except a schoolbus, that is operated by a public agency or passenger stage corporation that is used in a transit system if it is equipped with a folding device attached to the front of the vehicle that is designed and used exclusively for transporting bicycles, does not materially affect efficiency or visibility of vehicle safety equipment, and does not extend more than 36 inches from the front of the body of the bus or trolley when fully deployed. In addition, existing law prohibits a bicycle that is transported on the above-described device from having the bicycle handlebars extend more than 42 inches from the front of the vehicle.

This bill would authorize the Alameda-Contra Costa Transit District to install folding devices attached to the front of its buses that are designed and used exclusively for transporting bicycles as long as those devices meet certain requirements, including, but not limited to, extending not more than 40 inches from the front of the bus when fully deployed, and that the handlebars of the bicycles being transported extend not more than 46 inches from the front of the bus. If Alameda-Contra Costa Transit District installs the bicycle racks, the bill would require the district to report to the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on or before December 31, 2014, regarding safety issues and mobility improvements.

This bill would also require the district, prior to installing a folding device on a bus that is 45 feet in length, to establish a route review committee, as specified, in order to determine, by unanimous vote of the voting members, which routes proposed by the district are suitable for the safe operation of a 45-foot bus that is equipped with a front-mounted bicycle rack. The bill would require the committee's initial review to include a field review of the proposed routes.

The bill would make legislative findings and declarations as to the necessity of a special statute.

The people of the State of California do enact as follows:

SECTION 1. Section 35400.7 is added to the Vehicle Code, to read:

35400.7. (a) Notwithstanding Section 35400, the Alameda-Contra Costa Transit District created pursuant to Part 1 (commencing with Section 24501) of Division 10 of the Public Utilities Code may install a folding device attached to the front of a bus that is designed and used exclusively for transporting bicycles if the following conditions are met:

(1) The device does not extend more than 40 inches from the front body of the bus when fully deployed.

(2) The device, including all bicycles transported thereon, is mounted in a manner that does not materially affect efficiency or visibility of vehicle safety equipment.

(3) The handlebars of a bicycle that is transported on a device described in this subdivision does not extend more than 46 inches from the front of the bus.

(b) (1) The Alameda-Contra Costa Transit District shall establish a route review committee prior to the installation of the initial folding device, pursuant to subdivision (a), on a bus that is 45 feet in length. The purpose of the committee is to ensure the safe operation of a 45-foot bus that is equipped with a front-mounted bicycle rack.

(2) The committee established pursuant to this subdivision shall perform an initial review of the routes on which the district proposes to operate a 45-foot bus equipped with a front-mounted bicycle rack. The review shall include a field review of the proposed routes. It is the intent of the Legislature that the field review required under this paragraph include consultation with traffic engineers from affected public agencies that have jurisdiction over segments of the route or routes under review, to ensure coordination with all affected state and local public road agencies that may potentially be impacted due to the operation of a 45-foot bus with a front-mounted bicycle rack.

(3) By unanimous vote of all voting members, the committee shall make a determination of the routes that are suitable for the safe operation of a 45-foot bus that is equipped with a front-mounted bicycle rack.

(4) Upon any proposal to make substantive changes or additions to approved routes, those changes shall be subject to review and certification pursuant to paragraph (2) prior to being approved by the committee.

(5) The members of the committee shall be selected not more than 30 days after receipt of the district proposal to equip a 45-foot bus with a front-mounted bicycle rack and shall be comprised of the following members:

(A) One member from the district who shall be appointed by the district's general manager and who shall be a voting member of the committee.

(B) One member who is a traffic engineer selected by the district and who shall be a voting member of the committee.

(C) One member appointed by the labor organization that is the exclusive representative of the busdrivers of the district. If there is no exclusive

representative of the busdrivers, a busdriver member shall be chosen by a majority vote of the busdrivers employed by the district. This member shall be a voting member of the committee.

(D) One member appointed by the governing board who shall be a representative of the bicycling community and who shall reside in the district. This member shall be a nonvoting member of the committee.

(c) If a folding device is installed pursuant to subdivision (a), the Alameda-Contra Costa Transit District shall submit a report to the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on or before December 31, 2014. The report shall include a summary of any incidents where the size of the folding devices was a factor, and a summary of the mobility improvements these folding devices provide.

SEC. 2. Due to the unique circumstances of a large number of bicycle riders using buses operated by the Alameda-Contra Costa Transit District and the need to determine whether there are safety considerations in having 40-inch bicycle racks on the front of its buses, it is necessary that, and the Legislature finds and declares that, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.